

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRANCISCO OF THE FAMILY SANTOS, *
*
Plaintiff, *
*
v. * Civil Action No. 19-10387-IT
*
ESSEX COUNTY, et al., *
*
Defendants. *

ORDER OF DISMISSAL

December 12, 2019

TALWANI, D.J.

On March 1, 2019, *pro se* Plaintiff Francisco Santos filed a Complaint [#1] against Essex County, the Child Support Enforcement Division, and three individuals. The Complaint alleges that Plaintiff's income has been, and continues to be, unlawfully seized by the Defendants. On August 5, 2019, the court issued an Order [#7] following a preliminary review of the Complaint. This preliminary review was called for by the statute governing *in forma pauperis* proceedings, which provides that the court must "dismiss . . . at any time" any action pursued *in forma pauperis* that "the court determines . . . fails to state a claim on which relief may be granted" or that "seeks monetary relief against a defendant who is immune from such relief." Order 3 [#7] (citing 28 U.S.C. § 1915(e)(2)(B)(ii)). As explained in the Order, Plaintiff's Complaint, as filed, "fails to state a claim upon which relief may be granted." Id. at 6. Plaintiff was ordered to file an amended complaint within thirty-five days if he wished to pursue this cause of action. Id. Since that time, more than four months ago, Plaintiff has not filed an amended complaint or any other filing indicating that he is interested in pursuing this case.

Accordingly, Plaintiff's Complaint [#1] is DISMISSED for the reasons provided in the court's August 2019 Order [#7].

IT IS SO ORDERED.

December 12, 2019

/s/ Indira Talwani
United States District Judge